

FILED

MAR 6 2013

CITY CLERK

GENERAL ORDINANCE NO. 4, 2013

AN ORDINANCE AMENDING CHAPTER 10, SEC. 10-180 OF THE *TERRE HAUTE CITY CODE*.

SECTION 1. *Terre Haute City Code*, Chapter 10, Sec. 10-180 b. Uses, Permitted R-1 Single Family Residence District is hereby amended by deleting the stricken text and inserting the underlined text as follows:

(15) — ~~A private outdoor swimming pool, fully enclosed by a barrier fence five feet (5') high or an equivalent barrier.~~

(15) A private outdoor swimming pool shall be enclosed by either by a Safety Pool Cover, a five (5) foot high fence with self- closing or self-latching gate or equivalent barrier. A Safety Pool Cover shall: (a) Provide a continuous connection between the cover and the deck, so as to prohibit access to the pool when the cover is completely drawn over the pool; (b) Be mechanically operated by a key or key and switch such that the cover cannot be drawn open or retracted without the use of a key; (c) Be capable of supporting a four hundred (400)pound imposed load upon a completely drawn cover; (d) Be installed with track, rollers, rails, guides, or other accessories necessary to accomplish subdivisions (a) through (c) with the manufacturers' instructions; and (e) Bear an identification tag indicating the name of the manufacturer, name of the installer, installation date and applicable safety standards, if any. Said fence shall be chain link fence, ornamental fence, solid fence, solid wall, or combination thereof. The height of said fence or structural barrier shall be no less than: five (5) feet if fence or structural barrier is erected on grade; or, thirty-six (36) inches if fence or structural barrier is erected on the raised deck or top of the pool wall of an above-ground pool or hot tub. Abandoned or unused swimming pools or hot tubs, situated on premises which are not occupied for periods of thirty (30) days or more, shall be drained or equipped with a cover adequate to prevent persons, children or animals from danger or harm.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

WHEREAS, an emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

Introduced by: \_\_\_\_\_ Todd Nation, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_ Norman Loudermilk, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk